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A LIMITED LIABILITY PARTNERSHIP



February 19, 2002

Commissioner for Patents
Washington, D.C. 20231

ATTN: *Box Missing Part*

Re: Appl. No. 09/994,927
Filed: November 28, 2001
For: **Bisubstituted Carbocyclic Cyclophilin Binding
Compounds and Their Use**
Inventors: HAMILTON *et al.*
Our Ref: 03166.0029.NPUS02

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. Response to Notice to File Missing Parts of Application and Notice to Comply with Sequence Rules;
2. Copy of Notice to File Missing Parts and to Comply with Sequence Rules;
3. Preliminary Amendment to Add Sequence Listing including Marked Up Version to Show Changes Made;
4. Paper and computer readable copy of Sequence Listing;
5. Original combined Declaration and Power of Attorney, executed by the inventors;
6. Return postcard; and
7. Our Check No 007425 for \$1,775.00 to cover:

\$ 370.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$ 1,340.00 extra claim fee (37 C.F.R. § 1.16)
\$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$ _____ for Extension fees under 37 C.F.R. § 1.136.



Commissioner for Patents
February 19, 2002
Page 2

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No.08-3038 referencing docket number 03166.0029.NPUS02. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No.08-3038 referencing docket number 03166.0029.NPUS02. A duplicate copy of this letter is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Bell". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Bell (Reg.No. 39,604)

Michael J. Stimson (Reg. No. 45,429)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: HAMILTON *et al.*

Appl. No. 09/994,927

Filed: November 28, 2001

For: **Bisubstituted Carbocyclic Cyclophilin
Binding Compounds and Their Use**

Art Unit: To be assigned

Examiner: To be assigned

Attorney Docket: 03166.0029.NPUS02

**Response To Notice To File Missing Parts
Of Application And Notice To Comply With Sequence Rules**

Commissioner for Patents
Washington, D.C. 20231
ATTN: Box Missing Parts

Sir:

In response to the Notice to File Missing Parts of Application--Filing Date Granted and Notice to Comply with Sequence Rules dated **December 18, 2001**, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office. The shortened statutory period for response was February 18, 2002, which was a holiday. Therefore, this filing on February 19, 2002 is timely under 37 C.F.R. § 1.7. Therefore, applicants believe that no fee is due for an extension of time. However, if extensions of time or other fees or petitions are necessary, then applicants hereby petition, under 37 C.F.R. § 1.136(a) or any other rule, and the fees therefor (including fees for net addition of claims or other petition fees) are hereby authorized to be charged to our Deposit Account No. 08-3038, referencing docket number 03166.0029.NPUS02.

- ☐ Petition for Extension of Time under 37 C.F.R. § 1.136;
- ☒ Copy of the Notice to File Missing Parts to Comply with Sequence Rules;
- ☒ Preliminary Amendment to Add Sequence Listing including Marked Up Version to Show Changes Made;
- ☒ Paper and computer readable copy of Sequence Listing;
- ☒ Original combined Declaration and Power of Attorney, executed by the inventors;
- ☐ An original executed Power of Attorney from Assignee;
[or]
- ☐ An original executed Power of Attorney from Assignee with Delegation;
- ☐ Assignee Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;

- ☐ Small Entity Status form;
- ☒ Return postcard; and
- ☒ Our Check No. 007425 for \$1,775.00 to cover:

PTO 2038 Credit Card Payment form for \$_____ to cover:

\$ 370.00 Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$ 1,340.00 Fee for excess claims (37 C.F.R. § 1.16)
\$ 65.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$ _____ For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the Sequence Listing and the computer readable copy of the Sequence Listing submitted herewith in the above application are the same.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing docket number 03166.0029.NPUS02. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No.08-3038 referencing docket number 03166.0029.NPUS02. A duplicate copy of this Response is enclosed.

Respectfully submitted,



Michael J. Bell (Reg.No. 39,604)

Michael J. Stimson (Reg. No. 45,429)

HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/994,927 | 11/28/2001 | Gregory S. Hamilton | 03166.0029.NPUS02 |

CONFIRMATION NO. 7274

29704
HOWREY SIMON ARNOLD & WHITE LLP
/GUILFORD PHARMACEUTICALS
1299 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004

FORMALITIES LETTER



OC00000007205381

Date Mailed: 12/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/25/2002 MWOLDER1 00000116 09994927

FILED UNDER 37 CFR 1.53(b)

| | |
|-----------|-----------|
| 01 FC:201 | 370.00 OP |
| 02 FC:202 | 336.00 OP |
| 03 FC:203 | 864.00 OP |
| 04 FC:204 | 140.00 OP |
| 05 FC:205 | 65.00 OP |

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$1340.
 - \$864 for 96 total claims over 20.
 - \$336 for 8 independent claims over 3.
 - \$140 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1775.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file

in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE